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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/619,179	07/19/2000	Dimitri Kanevsky	YO999-468	1031

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EXAMINER

CHUONG, TRUC T

ART UNIT

PAPER NUMBER

2174

DATE MAILED: 12/04/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/619,179

Applicant(s)

KANEVSKY ET AL.

Examiner

Truc T Chuong

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-43 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-43 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Claim Objections*

1. Claims 5, 9 and 20 are objected to because of the following informalities: “said relationship is a relative importance” is grammatically incorrect. Appropriate correction is required.

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-43 are rejected under 35 U.S.C. 102(b) as being anticipated by Gerace, Thomas A. (U.S. Patent No. 5,848,396).

As to claims 1 and 3, Gerace teaches a method of prioritizing a plurality of items for presentation to a graphical user interface comprising:

- (a) determining for each of said items two or more criteria selected from the group consisting of a time first opened, a time last opened (starting date and time, ending date and time of the session, col. 6 lines 45-52) and a user history related to one or more of said criteria (col. 2 lines 1-29, col. 4 lines 12-31); and
- (b) establishing a priority of said plurality of items based on the criteria determined by step (a). Gerace inherently shows the priority based on customer’s profile as mention

above to be able to provide appropriated information for every different customer (col. 7 lines 24-37 and col. 32 line 7).

As to claim 2, Gerace teaches visibility includes a length of time visible on the graphical user interface and an amount of visibility on the graphical user interface (col. 4 lines 4-37).

As to claims 4, 8 and 13, Gerace teaches a relationship between two of said criteria (correlation, col. 18 lines 60-67).

As to claims 5 and 9, Gerace teaches that relationship is relative importance (col. 18 lines 1-9, 15-26, and col. 31 lines 18-25).

As to claim 6, Gerace inherently teaches items are files and wherein step (c) presents said files by names thereof in a list to said graphical user interface according to said priority (col. 6 lines 41-50) because Gerace's system uses "bookmark" or "hyperlink" to store referring links or files in "cookie" (col. 6 lines 48-57 and col. 13 lines 37-41).

As to claim 7, Gerace teaches that items are windows (screen, col. 2 lines 24-29).

As to claim 10, Gerace teaches that a first window of said plurality of windows has a higher priority than a second window (ordinal sequence number, col. 7 lines 15-16) thereof, and wherein step (c) presents said first and second window for visual presentation so that said first window is prominently distinguished from said second window by one or more of the visual characteristic selected from the group consisting of: viewing position, window position, color, size, and intensity (col. 7 lines 23 and col. 17 lines 1-6).

As to claim 11, Gerace inherently teaches items are icons (via click of mouse, col. 7 lines 1-3) for display at locations on said graphical user interface that are ordered according to said priority.

As to claim 12, Gerace teaches items are web pages, and further comprising (e) storing said web pages in a cache (cookies, col. 6 lines 50-55) and (f) discarding from said cache one or more of said plurality of web pages (col. 11 lines 46-56), of which the priority is lower than that of the remainder of said plurality of web pages.

As to claim 14, this claim is reverse process of method claim 12. Note the rejection of claim 12 above. Moreover, Gerace inherently teaches a plurality of items that has a higher priority than that of the remainder of said plurality of items because Gerace' invention shows only the current date and appropriate information will be provided to the user (col. 7 lines 27-28, col. 11 lines 55-56, and weather category, col. 8 lines 52-66 and fig. 4a).

As to claim 15, Gerace inherently shows skip function is a back function when user makes selection from the Web browser (Microsoft, Oracle, Netscape, etc., col. 1 lines 45-50) so that the user's selection could go both ways (back or forward).

As to claims 16-29, they are product claims of method claims 1-15. Note the rejections of claims 1-15 above respectively.

As to claims 30-40, they are computer system claims of method claims 1-15. Note the rejections of claims 1-15 above respectively.

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As to claims 41-43, they are computer system and product claims of method claims 1-3 and 30-32. Note the rejections of the method claims 1-3 and the computer system claims 30-32 above respectively.

### *Conclusion*

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Bass et al. (U.S. Patent No. 4,559,533) teach low priority, high priority and display (cols. 2-7 and figs. 1-3).

Becker et al. (U.S. Patent No. 5,878,223) teach cache, request and predicted-to-be selected pages (cols. 2, 4-10 and figs. 1-4).

Borman et al. (U.S. Patent No. 5,890,172) teach URL, start timer, stop timer, and time interval (cols. 2-13 and figs. 3, 4-8).

Homma et al. (U.S. Patent No. 4,783,648) teach priority (cols. 2-8).

Michael Monticino (Web-analysis: stripping away the hype, IEEE, 1998) teaches internet watch, analysis, cookies and tracking history (pages 130-132).

Montulli (U.S. Patent No. 5,774,670) teaches cookies, URL and state information (cols. 2-13 and figs. 4-5).

Montulli (U.S. Patent No. 6,134,592) teaches state information, state object and Web pages processing (cols. 2-9).

Robinson (U.S. Patent No. 5,918,014) teaches cookies, tracking and browsing web, tendency and characteristic (cols. 2-19 and fig. 1).

Shi et al. (U.S. Patent No. 5,875,296) teach HTTP cookies and state object (cols. 2-9 and figs. 1-4).

Thomas A. Dye (U.S. Patent No. 6,067,098) teaches priority display, refresh list and remain (col. 2-42).

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5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Truc T Chuong whose telephone number is 703-305-5753. The examiner can normally be reached on M-F 8:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine L. Kincaid can be reached on 703-308-0640. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7239 for regular communications and 703-746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Truc T. Chuong

December 2, 2002

*Kristine Kincaid*  
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